

# EXHIBIT 9



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### Manuel Vicente: Transparently Corrupt

Maka Angola, June 1, 2012



By Ana Silva

The scheduling of Election Day on August 31 casts a new light on the recent press conference that presented the Performance Report on Executive Activity for the first quarter of 2012.

Manuel Vicente, Minister of State for Economic Coordination, lavished detailed praise on the government's economic advances during his presentation to the media. He referred to newly constructed factories, schools and social housing, as well as investments in transportation infrastructure, and highlighted the launch of provincial radio broadcasters and regional television stations.

The minister's account may have led casual observers to believe that Angola is enjoying a period of true social and economic progress. The country's economic growth is unequalled, thanks above all to the rise in oil production and prices on the international market.

Yet the scene that Vicente described left out the vast majority of Angola's population, which continues to live in abject misery, without any prospect of improving its day-to-day survival.

#### Survey

##### A crise económica em Angola deve-se a:

Queda do preço do petróleo - 11.2%
Pilhagem dos fundos do Estado - 40.2%
Más línguas. Não há crise - 3.7%
Incompetência do presidente-executivo - 22.1%
Falta de diversificação da economia - 19.5%
Má implementação das orientações do presidente - 3.3%

Total votes: 430

The voting for this poll has ended

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Beyond painting a rose-tinted picture, the Report on Executive Activity also played a role as a campaign tool. In Vicente's words, the report "represents the Angolan government's commitment to transparent action, under the leadership of the honourable President of the Republic, the engineer José Eduardo dos Santos: unequivocal proof of the extent to which our democracy is growing, strengthening and maturing."

The president has held office for almost 33 years, without ever having been elected by the people. The country still has no free, independent press, and freedom of expression is still abused, with demonstrators being beaten - and now being disappeared. The judiciary is still in the exclusive service of the regime, and the poor are still squeezed out of their share of the national wealth. Yet the regime is highly concerned with putting on a legitimate democratic face, and this is exactly the reason behind the upcoming elections.

Lies have no legs to stand on, however, and Vicente baldly contradicted himself on the very democracy and transparency that his boss dos Santos supposedly promotes.

At the press conference, the journalist Cândido Mendes questioned the minister about the U.S. investigation into Cobalt International Energy's oil venture in Angola, regarding signs of corruption involving Angolan officials. The U.S.-based company was in partnership with Nazaki Oil & Gás, which Vicente owns along with Generals Manuel "Kopelipa" Helder Vieira Dias Júnior and Leopoldino "Dino" Fragoso do Nascimento. Their consortium, which includes Sonangol Pesquisa e Produção and Alper Oil, holds two Angolan petroleum concessions known as Blocks 9 and 21.

American anti-corruption laws make it a crime to pay or offer anything of value to foreign officials in order to win business. Cobalt secured the right to operate in the two blocks with no public tender.

Vicente's reply regarding the Angolan government's position on the investigations was indicative of an all-too-common attitude: the arrogance of a regime accustomed to having people bend down before it.

Without missing a beat, the minister - and presumptive vice-presidential candidate - admitted that Cobalt had violated U.S. anti-corruption laws by partnering with a company whose triumvirate of stakeholders holds the reins on Angola's political and economic power. At the same time, he announced that the company is free to continue its business in Angola, "disregarding the rules out there." Vicente has already confirmed his co-ownership of Nazaki in a statement to the *Financial Times*. Cobalt previously claimed ignorance of who owned Nazaki, with which it happens to share offices in Luanda.

With the confidence of a man above the law, Vicente suggested that if Cobalt's dealings with him and his associates were to create further problems, the company should abandon its interests in Angola. Vicente and General Kopelipa have previously taken the same position, indicating that other firms might easily be found to replace Cobalt in their current partnership.

The former head of Sonangol took the opportunity to criticize the process of "due diligence": an investigation that commonly takes place before international business deals, allowing companies to avoid corruption and bribery by checking that foreign partners, suppliers and clients are not involved in illicit or controversial activities and have no ties to government officials or state-owned companies.

Such a practice makes little sense to Vicente, however: "Very often, and practically to the point of self-parody, people who come to work with Angola and associate with Angolans want to do 'due diligence' on the Angolans. This trend should be flipped on its head. The resources are Angola's, and we are the ones who should be doing 'due diligence' on the people coming here - not the other way around."

Such smugness and scorn for international protocol hardly comes as a shock in Angola. The big wheels in dos Santos' regime have gotten used to the widespread eagerness with which foreign companies kiss their hands; even governments do the same when seeking Angolan business opportunities for their economic operators. As the eighth-largest supplier of oil to the United States, Angola finds itself in a privileged position - and it has no qualms about exploiting this. Blocks 9 and 21 promise such a windfall that Cobalt has confirmed its intention to remain in Angola, despite the fact that Maka Angola caught it in the act in 2010, exposing its corruption in the country.

Vicente then shifted tacks from arrogance to deceit, indirectly implicating President dos Santos by claiming that Cobalt's arrangements with Nazaki are sanctioned under Angolan law: "Here in Angola, we work under Angolan laws. Cobalt's contracts were approved and remain in effect ... In Angola, everything that has to happen happens with the authorization of the Angolan government, under the relative framework that exists here."

This contradiction captures one of the regime's greatest dilemmas. On the one hand, it wishes to appear democratic and transparent. On the other, it promotes widespread plunder of national resources for the immense enrichment of its elite, in total contravention of the country's laws.

Cobalt's partnership with Nazaki is just one of countless cases of flagrant corruption in breach of Angolan law. With regard to Vicente, Kopelipa and Leopoldino Fragoso, Article 25(1)(a) of the Law on Public Probity labels their backroom arrangements as unjust enrichment through participation in business dealings over which they had influence, among other violations. Cobalt is accountable for active corruption of Angolan officials under Article 321 of the Penal Code. Angolan law also recognizes the anti-corruption conventions of the African Union - Article 4(1)(f) - and United Nations - Article 18(a)(b) - as well as Article 3(1)(f) of the Southern African Development Community's Protocol Against Corruption, which similarly defines influence-peddling as corruption.

Contrary to Vicente's claims, Angola has ample, detailed legislation that sets limits on government officials' involvement in economic activity and that make his own dealings a crime. He has lied and in all likelihood will continue to do so, out of presumption and a belief in his own impunity.



Em Angola, a UNITA apela ao Presidente do país a respeitar a Constituição do país e a buscar consensos. [Ler Mais](#) →

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There can be no democracy without respect for the law, no matter how rose-tinted the government's performance reports may be. In a democracy, Vicente would already have been removed - and have hired his defense to answer for crimes of corruption in a court of law.

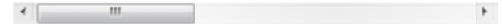
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